

**Copyright Royalty Judges
Washington, D.C.**

Distribution of Satellite Royalty Funds

**Docket No. 16-CRB- 0010-SD
(2014-2017)**

**Verified Motion to be sent Royalty Repayment Agreement w/ name added to
agreement blank form as a designated agent for claimant sua sponte**

To clarify why as a timely filing for entitled relief exigent significant interest proved up for any and all royalty distribution funds as a designated agent for Circle God Network Inc. d/b/a David Powell. The How is to have Royalty Judges send immediately the Royalty Repayment Agreement blank form to Circle God Network Inc. d/b/a David Powell, claimant name added to Royalty Repayment Agreement form. As the 11th Allocation Phase designated agent recipients Claimant Participant permanently and retroactive (see att.). For 40% partial distribution for 2016 and 2017 Satellite Royalty Funds. To be distributed to Circle God Network Inc. d/b/a David Powell to Agents for Allocation Phase for Office of the Commissioner of Baseball to the (new)common agent for the claimants sua sponte. 5% Distribution secret confidential agreement royalty share.

On the basis of returning a sign Royalty Repayment agreement no later than September 19, 2019 with EFT information request signed. Pursant to section 801(b)(3)(C) of the Copyright Act 17 USC 801, 17 USC ss. 801(b)(3)(C)(ii)(2012), as prepared by

Copyright Royalty Judges pursuant to 801(b)(3)(C)(ii)(iii). Now clarified in its entirety for determination sua sponte currently. Then Satellite and Cable retroactive in arrears distribution also per 8-23-2019 letter.

Second omnibus verified motion timely filed how, why, and on the basis of Judges Royalty Repayment Agreement form sent as added 5th designated recipient claimant for any and all Music Work Funds 5% distribution and for Dart Royalty Funds as added 2nd recipient claimant 2% distribution, to ARRC as the only other claimant royalty share recipient. To include retroactive in arrears distribution also (see att.). Clarity now determined also as a participant in all proceedings as timely filed or attempt to file due to computer errors matter of record. Submission to a special findings established contradictory credible evidence active concealment smoking gun spoliation hot documents for Coercive Relief. On the basis of prima facie evidence active and literal proof immediate breach equitable and judicial estoppel physical facts rule Pinkerton Rule chain conspiracy Bursting Bubble Theory.

Respectfully Submitted,

David Powell, Pro Se

POB 010950 Miami, FL (305) 539-1755

Davidpowell008@yahoo.com

Signed: /s/ David Powell, Pro Se

PROOF OF DELIVERY

I hereby certify that on August 28, 2019, I provided a true and correct copy of the verified motion sua sponte to the following:

SESAC Performing Rights, LLC, represented by John C. Beiter, served via Electronic Service at john@beiterlaw.com

Devotional Claimants, represented by Arnold P Lutzker, served via Electronic Service at arnie@lutzker.com

Broadcast Music, Inc., represented by Jennifer T. Criss, served via Electronic Service at jennifer.criss@dbi.com

Global Music Rights, LLC, represented by Scott A Zebrak, served via Electronic Service at scott@oandzlaw.com

American Society of Composers, Authors and Publishers (ASCAP), represented by Sam Mosenkis, served via Electronic Service at smosenkis@ascap.com

Broadcaster Claimants Group, represented by John Stewart, served via Electronic Service at jstewart@crowell.com

Program Suppliers, represented by Gregory O Olaniran, served via Electronic Service at goo@msk.com

Multigroup Claimants, represented by Brian D Boydston, served via Electronic Service at brianb@ix.netcom.com

Joint Sports Claimants, represented by Robert A Garrett, served via Electronic Service at robert.garrett@apks.com

Major League Soccer, L.L.C., represented by Edward S. Hammerman, served via Electronic Service at ted@copyrightroyalties.com

Signed: /s/ David Powell

EXHIBIT B

Petitions to participate in Phase II

Petitioner

Counsel

Billy Graham Evangelistic Association

202 686 2887

Edward S. Hammerman
Hammerman PLLC dba Intermediary Copyright Royalty Services
5335 Wisconsin Avenue NW, #440
Washington, DC 20015-2054

Certain Devotional Claimants

202 663 8000

Clifford M. Harrington
Matthew J. MacLean
Pillsbury Winthrop Shaw Pittman LLP
P.O. Box 57197
Washington, DC 20036-9997

David Powell

305 539-1755

David Powell, pro se
P.O. Box 010950
Miami, FL 33101

Joint Sports Claimants

202 942 5000

Robert Alan Garrett³
Stephen K. Marsh
Arnold & Porter LLP
555 Twelfth Street NW
Washington, DC 20004-1206

Motion Picture Association of America,
Inc.

202 355 7917

Gregory Olaniran
Lucy Plovnick
Mitchell Silberberg & Knupp LLP
1818 N Street NW, 8th Floor
Washington, DC 20036

National Association of Broadcasters

202 624 2685

John I. Stewart, Jr.
Jennifer H. Burdman
Crowell & Moring LLP
1001 Pennsylvania Avenue NW
Washington, D.C. 20004

Word of God Fellowship dba Daystar
Television Network

214 769 4699

Gregory H. Guillot
Gregory H. Guillot, P.C.
13455 Noel Road, #1000
Dallas, TX 75240

Worldwide Subsidy Group LLC dba
Independent Producers Group

213 624 1996

Brian D. Boydston
Pick & Boydston, LLP
10786 LeConte Ave.
Los Angeles, CA 90024

³ Co-counsel: Philip R. Hochberg, Potomac, MD; Ritchie T. Thomas, Squire, Sanders & Dempsey LLP, Washington, DC. Of Counsel: Thomas J. Ostertag, Office of the Commissioner of Baseball, New York.

HOME SHOPPING INC. 202 408 7600
ARNOLD P LUTZKER
LUTZKER & LUTZKER LLP
1223 20 ST. NW
WASH. D.C. 20036

17 U.S.C. § 801(b)(3)(C).

Having received no objections, the Judges determine that a partial distribution of 50 percent of the 2004, 2005, 2006, and 2007 satellite royalty funds is reasonable and appropriate. In their motion, the Phase I Claimants represent that the amount of funds available for distribution from the satellite royalty fees collected for 2004 through 2007 totals approximately \$352,758,219 and that a 50 percent partial distribution would approximate \$176,379,108.² The Phase I Claimants request that the funds be distributed as follows:³

<u>CLAIMANT GROUP</u>	<u>ROYALTY SHARE</u>
Program Suppliers	39.95050%
Joint Sports Claimants	39.73767%
Broadcaster Claimants Group (NAB)	15.01941%
Music Claimants	4.00000%
Devotional Claimants	1.29242%

² Motion at 2.

³ Motion at Attachment A. The Phase I Claimants request that the percentage share of the 2004-2007 funds distributed to each Phase I Claimant be the same percentage as that of Basic cable royalties, on a relative basis, as that Claimant was awarded for the year 1999 in the 1998-1999 Cable Royalty Distribution Proceeding. *See* Motion at 5. In the case of the Devotional Claimants, the relative percentage share to be paid to them would be the same share as they received pursuant to the settlement among all Phase I Claimants to the 1998-99 proceeding. Motion at 5-6. The Phase I Claimants represent that the proposed distribution percentages have been adjusted to account for the fact that three claimant groups who were entitled to receive a share of the 1999 Cable Royalties—National Public Radio, the Canadian Claimants Group, and the Public Television Claimants—do not claim a share of the 2004-07 Satellite Royalty Funds.



United States

Copyright Royalty Board

List of Incomplete Filings

PHYSICAL FACT

COMPUTER PROBLEMS NO
POP UP SCREEN PETITION TO
PARTICIPATE THEN NOW WE TO PAY

You have filed incomplete Document(s) Pending

Actions
Continue Filing...

12/11/2018
12:34 AM EST

2013-6 CRB DD
2009-2011 (MWF)

Continue Filing...

Delete

Choose proceeding

12/27/2018
06:36 PM EST

16-CRB-0013-
DART-MWF (2012-
2013)

Continue Filing...

Delete

Proceeding Type:

Select Proceeding Type

01/06/2019
04:10 PM EST

16-CRB-0022-
DART-SRF (FRA)
(2015)
Continue

Continue Filing...

Delete

01/06/2019
04:16 PM EST

18-CRB-0006-
DART-SRF(CO)

Continue Filing...

Delete

01/06/2019
04:37 PM EST

18-CRB-0006-
DART-SRF(CO)

Continue Filing...

Delete

01/24/2019
04:28 PM EST

CONSOLIDATED
2008-3 CRB DD
(2007-2011 SRF)

Continue Filing...

Delete

08/01/2019
11:35 AM
EDT

16-CRB-0013-
DART-MWF (2012-
2013)

Continue Filing...




Delete

08/04/2019
06:43 PM
EDT

16-CRB-0014 DART
(SRF-FRA/CO)
(2015)

Continue Filing...

Delete

Status	Docket #	Caption	Processed	Document(s)
✘ Declined	2009-3 CRB DD 2008	Distribution of 2008 Digital Audio Recording Funds	08/05/2019 04:33 PM EDT	 Motion other resent docket no. 2008-3 CRB DD (2007-2011SRF) dart royalty funds <i>new doc</i> 2019-01-15 17.56.00_20190115175802.pdf
✘ Declined	16-CRB-0014 DART (SRF-FRA/CO) (2015)	Distribution of Digital Audio Recording Royalty Funds	08/05/2019 04:54 PM EDT	 docket no 16-crb-0014 dart srf-fra /co 2015 consolidated petition to participate 20190802200923.pdf
✘ Declined	New Docket	N/A	03/13/2019 09:37 AM EDT	 Motion Seeking Leave for Enlargement <i>Seeking leave for enlargement of time to cure defects ss. 351.1.pdf</i>

Market List

COPYRIGHT JUDGES

RESENT REPAYMENT

AGREEMENT. PLS

SEND EMAIL COPY STAMP

DATED REC'D. THANK

DAVID POWELL ~~POB~~ @YANOO.COM

3 COPIES DIFFERENT

REPAYMENT

ANITA BLANE

RECEIVED
Public Information Office

JUL 24 2019

COPYRIGHT OFFICE

RECEIVED & FILED *ab*

JUL 25 2019

COPYRIGHT ROYALTY BOARD

United States
CRB Copyright Royalty Board

Library of Congress
P.O. Box 70977
Washington, DC 20024
202.707.7658
202.252.3423 fax
www.loc.gov/crb

August 6, 2019

VIA U.S. Mail and electronic mail

David Powell
PO Box 010950
Miami, FL
(305) 539-1755
Davidpowell008@yahoo.com

Mr. Powell,

On July 25, 2019, the Copyright Royalty Board (CRB) received a mailing from you that included a handwritten cover note, a copy of three Royalty Repayment Agreements (apparently from eCRB) for docket numbers 17-CRB-0017 CD (2016), 16-CRB-0013 -DART-MWF (2012-2013) and 16-CRB-0009-CD (2014-17) to which you had added your name, and a completed EFT Information Request form for each repayment agreement. Your note requested we email you indicating the date we received it.

We have rejected the documents for filing because you are not a party to the agreements. We are returning them to you with this letter via U.S. Mail.

We suggest that you contact an attorney if you need assistance with your filings in CRB proceedings.

Regards,



Anita Blaine
Program Specialist, Copyright Royalty Board

Enclosures

cc: Lead counsel to all aforementioned cases
Sam Mosenkis, ASCAP (w/o encl) (via email)
Jennifer Criss, BMI (w/o encl) (via email)
John Stewart, Broadcasters Claimants Group (w/o encl) (via email)
Lawrence Satterfield, Canadian Claimants (w/o encl) (via email)
Stephen Block, Harry Fox Agency LLC (w/o encl) (via email)
Ann Mace, NAB/CTV (w/o encl) (via email)
Arnold Lutzker, SDC (w/o encl) (via email)

Robert Garrett, JSC (w/o encl) (via email)
Edward Hammerman, Major League Soccer (w/o encl) (via email)
Brian Boydston, MCG (w/o encl) (via email)
Gregory Lewis, NPR (w/o encl) (via email)
Gregory Olaniran, PS (w/o encl) (via email)
Ronald G. Dove, Jr., PTV (w/o encl) (via email)
John Beiter, SESAC (w/o encl) (via email)

ROYALTY REPAYMENT AGREEMENT (CABLE)

This Royalty Repayment Agreement is made this 1 day of Aug
and between the following "Allocation Phase" Participants:



Program Suppliers
Joint Sports Claimants
Public Television Claimants
Commercial Television Claimants
American Society of Composers, Authors and Publishers (ASCAP)
SESAC, Inc.
Broadcast Music, Inc. (BMI)
Canadian Claimants Group
National Public Radio
Devotional Claimants

DAVID POWELL djb/CIRCLE GOD NETWORK INC.

as the designated agents (Agents) for cable royalty recipients (Claimants), and the Library of Congress, Copyright Office, Washington, D.C. (Copyright Office).

This Agreement is made with reference to the following facts.

The Agents represent Claimants in several categories in the distribution proceeding before the Copyright Royalty Judges bearing docket number of 17-CRB-0017 CD (2016).

Under the provisions of 17 U.S.C. § 111(d)(2), funds designated for royalty claimants are deposited with the Copyright Office for administration and investment pending later distribution by the Librarian of Congress upon authorization by the Copyright Royalty Judges (Judges).

Pursuant to 17 U.S.C. § 801(b)(3)(C), at any time after the filing of claims to royalties under 17 U.S.C. § 111, agents acting on behalf of one or more claimants may file a motion for partial distribution of deposited royalties. After publication in the Federal Register of a request for responses to the motion from interested claimants, the Judges may authorize a partial distribution of deposited royalty fees, *provided*, based upon all responses received during the 30-day response period, the Judges conclude that no claimant entitled to receive any portion of the deposited fees has stated a reasonable objection to the partial distribution.

As a condition precedent to the requested partial distribution of deposited fees, all Claimants entitled to receive distribution of the fees must, by and through the Agents, (1) agree to the partial distribution; (2) sign an agreement obligating them to return any excess amounts to the extent necessary to comply with the final determination of the distribution of fees made under 17 U.S.C. § 801(b)(3)(B); (3) file the agreement with the Judges; and (4) agree that the deposited funds are available for distribution; and

The Claimants, by and through the Agents, made a motion for partial distribution (50 percent) of the 2016 cable royalty funds, and the Judges published a request for responses to the motion in the Federal Register.

The Judges concluded in their July 30, 2018 *Order Granting Motion for Partial Distribution*, Docket No. 17-CRB-0017 CD (2016) (Partial Distribution Order), that no Claimant entitled to any portion of the deposited funds has stated a reasonable objection to the proposed partial distribution.

The Claimants and the Copyright Office agree as follows:

- (1) The Claimants by and through the Agents agree to the proposed partial distribution and represent that the deposited funds are available for distribution.
- (2) The Claimants, as represented by the Agents, intend to and will return any excess amounts (including interest equal to the amount that would have accrued if the principal had remained on deposit with the Copyright Office) to the extent necessary to comply with a Final Determination regarding distribution of the subject fees made under 17 U.S.C. § 801(b)(3)(B).
- (3) The Copyright Office will, on or after August 9, 2018, and upon receipt of this signed Agreement make a partial distribution of 50 percent of the 2016 cable royalty funds to the Agents to the common agent for the Claimants, The Office of the Commissioner of Baseball.
- (4) The Agents will promptly distribute funds to the Claimants according to the confidential allocated amounts agreed to by the Claimants.
- (5) The Copyright Office will maintain, administer, and invest the remaining 2016 Cable Royalty Funds to settle all outstanding Allocation Phase and Distribution Phase claims.
- (6) The Claimants will repay royalties in the event the Final Determination results in a distribution order requiring reallocation of the funds distributed pursuant to the Partial Distribution Order, including any award or awards to a claimant or claimants made by competent authority (*i.e.*, the Judges, the United States Court of Appeals for the District of Columbia Circuit, or the Supreme Court of the United States).
- (7) The Claimants, by and through the Agents, agree to remit, and bind any successor(s) in interest or distributee(s) of the Agents or any Claimant to remit, to the Copyright Office, within 30 days of the date the Copyright Office gives notice, the amount specified in the notice to enable the Copyright Office to make the distribution required by the Final Determination.

Signatures:

This Royalty Repayment Agreement may be signed in counterparts, each of which is binding upon the Agent signing it and all of which, taken together, constitute one and the same original document.

Agents

The undersigned Agents certify that they are the Agents or the duly authorized representatives of the Agents for the Claimants and have the express authority to enter into this Royalty Repayment

Agreement on behalf of the Claimants. Penalties for fraud and false statements are set forth in 18 U.S.C. § 1001 et seq.

Signature: David Powell

Typed or printed name: DAVID POWELL

Title: CHM

Name of "Allocation Phase" participant group: DAVID POWELL db/a CIRCLE God

Address: DAVID POWELL
POB 010950
MIAMI, FL 33101

Date: 1 AUG. 2018

Signature: _____

Typed or printed name: _____

Title: _____

Name of "Allocation Phase" participant group: **Joint Sports Claimants**

Address: _____

Date: _____

Signature: _____

Typed or printed name: _____

Title: _____

Name of "Allocation Phase" participant group: **Public Television Claimants**

Address: _____

Date: _____

ROYALTY REPAYMENT AGREEMENT (DART)

This Royalty Repayment Agreement (Agreement) is made this 14 day of AUGUST, 2017, by and between **Broadcast Music, Inc., the American Society of Composers, Authors and Publishers, SESAC, Inc., and The Harry Fox Agency, LLC** as the designated agents (Agents) for DART royalty recipients (Claimants), and the Library of Congress, **Copyright Office**, Washington, D.C. (Copyright Office). **CIRCLE GOD NETWORK INC. d/b/a DAVID POWELL**

This Agreement is made with reference to the following facts.

The Agents represent Claimants in the distribution proceeding before the Copyright Royalty Judges bearing docket number of **16-CRB-0013 DART-MWF (2012-2013)**.

Under the provisions of 17 U.S.C. § 1003, manufacturers, importers, and distributors of digital audio recording devices, interface devices, or media deposit royalty fee payments (DART Royalties) with the Copyright Office for administration and investment pending later distribution by the Librarian of Congress upon authorization by the Copyright Royalty Judges (Judges).

Pursuant to 17 U.S.C. § 801(b)(3)(C), at any time after interested copyright owners file claims to royalties under 17 U.S.C. § 1007, upon motion of the Agents on behalf of one or more of the claimants and after publication in the Federal Register of a request for responses to the motion from interested claimants, the Judges may authorize a partial distribution of deposited royalty fees, *provided*, based upon all responses received during the 30-day period following publication, the Judges conclude that no claimant entitled to receive any portion of the deposited fees has stated a reasonable objection to the partial distribution.

As a condition precedent to any partial distribution of deposited fees, all claimants entitled to receive such fees must, by and through the Agents, (1) agree to the partial distribution; (2) sign this Agreement obligating them to return any excess amounts to the extent necessary to comply with the final determination of the distribution of fees made under 17 U.S.C. § 801(b)(3)(B); (3) file the original signed Agreement with the Judges and deliver simultaneously a copy of the signed Agreement to the Copyright Office;; and (4) agree that the deposited funds are available for distribution; and

The Claimants, by and through the Agents, made a motion for partial distribution (95 percent) of the 2012 and 2013 DART Musical Works Fund Royalties (Music Publishers and Writers Subfunds), and the Judges published a request for responses to the motion in the Federal Register.

The Judges concluded in their July 31, 2017, *Order Granting Claimants' Request for Partial Distribution of 2012 Through 2013 DART Musical Works Fund Royalties*, Docket No. 16-CRB-0013 DART-MWF (2012-2013) (Partial Distribution Order), that no Claimant entitled to any portion of the deposited funds has stated a reasonable objection to the proposed partial distribution.

The Claimants and the Copyright Office agree as follows:

- (1) The Claimants, by and through the Agents, agree to the proposed partial distribution and represent that the deposited funds are available for distribution.
- (2) The Claimants, as represented by the Agents, intend to and will return any excess amounts (including interest equal to the amount that would have accrued if the principal had remained on deposit with the Copyright Office) to the extent necessary to comply with the Final Determination regarding distribution of the subject fees made under 17 U.S.C. § 801(b)(3)(B).

- (3) The Copyright Office will, on or after August 24, 2017, and upon receipt of this signed Agreement, make a partial distribution of 95 percent of the 2012 and 2013 DART Musical Works Fund Royalties (Music Publishers and Writers Subfunds) to the Agents in the following dollar amounts:

2012: \$573,853.52

2013: \$199,755.98

The Agents will promptly distribute funds to the Claimants.

- (4) The Copyright Office will maintain, administer, and invest the remaining 2012 and 2013 DART Musical Works Fund Royalties (Music Publishers and Writers Subfunds) to settle all outstanding claims.
- (5) The Claimants will repay royalties in the event the Final Determination results in a distribution order requiring reallocation of the funds distributed pursuant to the Partial Distribution Order, including any award or awards to a claimant or claimants made by competent authority (*i.e.*, the Judges, the United States Court of Appeals for the District of Columbia Circuit, or the Supreme Court of the United States).
- (6) The Claimants, by and through the Agents, agree to remit, and bind any successor(s) in interest or distributee(s) of the Agents or any Claimant to remit, to the Copyright Office, within 30 days of the date the Copyright Office gives notice, the amount specified in the notice from the Copyright Office to make the distribution required by the Final Determination.

Signatures:

This Royalty Repayment Agreement may be signed in counterparts, each of which is binding upon the Agent signing it and all of which, taken together, constitute one and the same original document.

Agents: The undersigned Agents certify that they are the Agents or the duly authorized representatives of the Agents for the Claimants and have the express authority to enter into this Royalty Repayment Agreement on behalf of the Claimants. Penalties for fraud and false statements are set forth in 18 U.S.C. § 1001 et seq.

Signature: David Powell

Date: Aug 14, 2017

Typed or printed name: DAVID POWELL

Title: CHM

Name of Agent: CIRCLE GOD NETWORK INC d/b/a DAVID POWELL

Address: DAVID POWELL
POB 010950
MIAMI, FL 33101

ROYALTY REPAYMENT AGREEMENT (CABLE) & SATELLITE

This Royalty Repayment Agreement is made this 12 day of JUNE, 2019, by and between the following "Allocation Phase" Participants:

Program Suppliers
Joint Sports Claimants
Public Television Claimants
Commercial Television Claimants/National Association of Broadcasters
American Society of Composers, Authors and Publishers (ASCAP)
SESAC, Inc.
Broadcast Music, Inc. (BMI)
Canadian Claimants Group
National Public Radio
Devotional Claimants

DAVID POWELL CLAIMANTS DIBIA CIRCLE GOD NETWORK INC.

as the designated agents (Agents) for cable royalty recipients (Claimants), and the Library of Congress, Copyright Office, Washington, D.C. (Copyright Office).

This Agreement is made with reference to the following facts.

The Agents represent Claimants in several categories in the distribution proceeding before the Copyright Royalty Judges bearing docket number of 16-CRB-0009 CD (2014-17).

Under the provisions of 17 U.S.C. § 111(d)(2), funds designated for royalty claimants are deposited with the Copyright Office for administration and investment pending later distribution by the Librarian of Congress upon authorization by the Copyright Royalty Judges (Judges).

Pursuant to 17 U.S.C. § 801(b)(3)(C), at any time after the filing of claims to royalties under 17 U.S.C. § 111, agents acting on behalf of one or more claimants may file a motion for partial distribution of deposited royalties. After publication in the Federal Register of a request for responses to the motion from interested claimants, the Judges may authorize a partial distribution of deposited royalty fees, *provided*, based upon all responses received during the 30-day response period, the Judges conclude that no claimant entitled to receive any portion of the deposited fees has stated a reasonable objection to the partial distribution.

As a condition precedent to the requested partial distribution of deposited fees, all Claimants entitled to receive distribution of the fees must, by and through the Agents, (1) agree to the partial distribution; (2) sign an agreement obligating them to return any excess amounts to the extent necessary to comply with the final determination of the distribution of fees made under 17 U.S.C. § 801(b)(3)(B); (3) file the agreement with the Judges; and (4) agree that the deposited funds are available for distribution; and

The Claimants, by and through the Agents, made a motion for partial distribution (40 percent) of the 2017 cable royalty funds, and the Judges published a request for responses to the motion in the Federal Register.

The Judges concluded in their May 22, 2019 *Order Granting Motion for Partial Distribution*, Docket No. 16-CRB-0009 CD (2014-17) (Partial Distribution Order), that no Claimant entitled to any portion of the deposited funds has stated a reasonable objection to the proposed partial distribution.

The Claimants and the Copyright Office agree as follows:

- (1) The Claimants by and through the Agents agree to the proposed partial distribution and represent that the deposited funds are available for distribution.
- (2) The Claimants, as represented by the Agents, intend to and will return any excess amounts (including interest equal to the amount that would have accrued if the principal had remained on deposit with the Copyright Office) to the extent necessary to comply with a Final Determination regarding distribution of the subject fees made under 17 U.S.C. § 801(b)(3)(B).
- (3) The Copyright Office will, on or after June 20, 2019, and upon receipt of this signed Agreement make a partial distribution of 40 percent of the 2017 cable royalty funds to the Agents to the common agent for the Claimants, The Office of the Commissioner of Baseball.
- (4) The Agents will promptly distribute funds to the Claimants according to the confidential allocated amounts agreed to by the Claimants.
- (5) The Copyright Office will maintain, administer, and invest the remaining 2017 Cable Royalty Funds to settle all outstanding Allocation Phase and Distribution Phase claims.
- (6) The Claimants will repay royalties in the event the Final Determination results in a distribution order requiring reallocation of the funds distributed pursuant to the Partial Distribution Order, including any award or awards to a claimant or claimants made by competent authority (*i.e.*, the Judges, the United States Court of Appeals for the District of Columbia Circuit, or the Supreme Court of the United States).
- (7) The Claimants, by and through the Agents, agree to remit, and bind any successor(s) in interest or distributee(s) of the Agents or any Claimant to remit, to the Copyright Office, within 30 days of the date the Copyright Office gives notice, the amount specified in the notice to enable the Copyright Office to make the distribution required by the Final Determination.

Signatures:

This Royalty Repayment Agreement may be signed in counterparts, each of which is binding upon the Agent signing it and all of which, taken together, constitute one and the same original document.

Agents

The undersigned Agents certify that they are the Agents or the duly authorized representatives of the Agents for the Claimants and have the express authority to enter into this Royalty Repayment

Signature: _____

Typed or printed name: _____

Title: _____

Name of "Allocation Phase" participant group: **Broadcast Music, Inc. (BMI)**

Address: _____

Date: _____

Signature: _____

Typed or printed name: _____

Title: _____

Name of "Allocation Phase" participant group: **Canadian Claimants Group**

Address: _____

Date: _____

Signature: David Powell

Typed or printed name: DAVID POWELL

Title: CHM

Name of "Allocation Phase" participant group: **CIRCLE GOD NETWORK INC.**
Attn: David Powell

Address: POB 010950
MIAMI, FL 33101

Date: 6-12-19

Signature: _____

Proof of Delivery

I hereby certify that on Tuesday, August 27, 2019, I provided a true and correct copy of the Verified Motion to be sent Royalty Repayment Agreement w/ name added to agreement blank form as a designated agent for claimant sua sponte Docket No. 16-CRB-0010-SD (2014-2017) Distribution of Satellite Royalty Funds to the following:

Devotional Claimants, represented by Arnold P Lutzker, served via Electronic Service at arnie@lutzker.com

Broadcast Music, Inc., represented by Jennifer T. Criss, served via Electronic Service at jennifer.criss@dbr.com

Multigroup Claimants, represented by Brian D Boydston, served via Electronic Service at brianb@ix.netcom.com

Broadcaster Claimants Group, represented by John Stewart, served via Electronic Service at jstewart@crowell.com

Joint Sports Claimants, represented by Robert A Garrett, served via Electronic Service at robert.garrett@apks.com

SESAC Performing Rights, LLC, represented by John C. Beiter, served via Electronic Service at john@beiterlaw.com

Global Music Rights, LLC, represented by Scott A Zebrak, served via Electronic Service at scott@oandzlaw.com

Major League Soccer, L.L.C., represented by Edward S. Hammerman, served via Electronic Service at ted@copyrightroyalties.com

Program Suppliers, represented by Gregory O Olaniran, served via Electronic Service at goo@msk.com

American Society of Composers, Authors and Publishers (ASCAP), represented by Sam Mosenkis, served via Electronic Service at smosenkis@ascap.com

Signed: /s/ david powell